

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHERMAN P. LOHR and JOYCE)
K. LOHR,)
Plaintiffs,)
v.) 1:07CV374
CONSECO, INC., CONSECO LIFE)
INSURANCE COMPANY, CONSECO)
INSURANCE GROUP, CONSECO)
SERVICES, L.L.C., all in their individual)
corporate capacities and as successors-)
in-interest to Massachusetts General)
Life Insurance Company, RAYMOND)
E. BOSTIAN, and BOSTIAN)
RETIREMENT AND INVESTMENT)
SPECIALISTS, INC.,)
Defendants.)

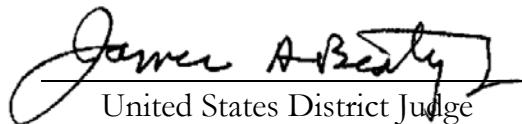
ORDER

BEATY, Chief District Judge.

For the reasons stated in the Memorandum Opinion filed contemporaneously herewith,
IT IS HEREBY ORDERED that Plaintiffs' Motion to Remand [Document #22] is
GRANTED, and this matter is hereby REMANDED to the General Court of Justice, Superior
Court Division, Davidson County, North Carolina.

IT IS FURTHER ORDERED that Plaintiffs' request for attorneys' fees and costs is
DENIED.

This, the 17th day of December, 2008.


United States District Judge

